

AN ORDINANCE

101090

AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) WHICH WILL PROVIDE AN ADDITIONAL \$39,167.00 TO SUPPORT THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) PUBLIC CENTER FOR ENVIRONMENTAL HEALTH (PCEH) IN THE OPERATION AND MAINTENANCE OF AIR MONITORS IN THE SAN ANTONIO AREA AND WHICH WILL EXTEND THE CONTRACT PERIOD FROM AUGUST 31, 2005 THROUGH DECEMBER 31, 2005; AND AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH THE TCEQ WHICH WILL PROVIDE AN ADDITIONAL \$30,000.00 TO SUPPORT THE SAMHD PCEH IN THE OPERATION AND MAINTENANCE OF THREE PM 2.5 AIR MONITORS THAT TCEQ ESTABLISHED IN THE SAN ANTONIO AREA AS WELL AS TWO ADDITIONAL MONITORS, AND EXTENDING THE CONTRACT PERIOD FROM AUGUST 31, 2005 THROUGH AUGUST 31, 2006; REVISING THE PROGRAM BUDGETS; AND REVISING THE PERSONNEL COMPLEMENTS.

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WHEREAS, the City of San Antonio, through the San Antonio Metropolitan Health District (SAMHD), currently provides comprehensive public health services to protect the health of all residents within the jurisdiction of the SAMHD; and

WHEREAS, Ordinance Number 94645, which was passed and approved on September 27, 2001, established SAMHD's Public Center for Environmental Health (PCEH) in order to address the environmental concerns of community residents and to develop strategies for evaluating potential adverse health outcomes; and

WHEREAS, Ordinance Number 99602, which was passed and approved on August 19, 2004, authorized two contracts between the City of San Antonio and the Texas Commission on Environmental Quality (TCEQ). The first contract supports the PCEH in the operation and maintenance of air monitors, which had previously been established in the San Antonio area. The second contract supports the operation and maintenance of three PM 2.5 air monitors that TCEQ established in the San Antonio area for the period September 1, 2004 through August 31, 2005; and

WHEREAS, the TCEQ has now offered to amend each of these contracts in order to provide additional funding. The first amendment provides an additional \$39,167.00 in order to support the PCEH in the operation and maintenance of the air monitors which were previously established in the San Antonio area, and extends the contract period from August 31, 2005 through December 31, 2005. The second amendment provides an additional \$30,000.00 in order to continue the operation and maintenance of the three PM 2.5 air monitors that the TCEQ has established in the San Antonio area, as well as providing two additional monitors and extends the contract period from August 31, 2005 through August 31, 2006; and

WHEREAS, it is now necessary to approve the execution of the two contract amendments with TCEQ, revise the program budgets, and revise the personnel complements; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Interim City Manager, or his designee, is authorized to execute Contract Number 582-5-55852, Contract Amendment Number 1, with TCEQ in order to provide an additional \$39,167.00 to support the PCEH in the operation and maintenance of air monitors in the San Antonio area, and to extend the contract period from August 31, 2005 to December 31, 2005. A copy of Contract Number 582-5-55852, Contract Amendment Number 1, in substantially correct form, is attached hereto and incorporated herein for all purposes as Attachment III.

SECTION 2. The Interim City Manager, or his designee, is authorized to execute Contract Number 582-5-55885, Contract Amendment Number 1, with TCEQ in order to provide an additional \$30,000.00 to support the PCEH in the operation and maintenance of the three PM 2.5 air monitors that TCEQ has established in the San Antonio area, as well as providing two additional monitors, and to extend the contract period from August 31, 2005 through August 31, 2006. A copy of Contract Number 582-5-55885, Contract Amendment Number 1, in substantially correct form, is attached hereto and incorporated herein for all purposes as Attachment IV.

SECTION 3. SAP Fund No. 26008000 has been previously designated for use in accounting by activity for the fiscal transactions of these TCEQ programs. This fund is authorized for use in accordance with these TCEQ agreements.

SECTION 4. The aggregate sum of \$69,167.00 is hereby appropriated in the above-designated fund and the budgets set out in Attachment I and Attachment II are approved and adopted for entry on the City books.

SECTION 5. Payments received from TCEQ for Contract Number 582-5-55852, Amendment Number 1, San Antonio Air Monitoring, are to be deposited into the above-designated fund, Funds Center 3611230000, Cost Center 3611230001, Internal Order 136000000243, SAP GL Number 4501110.

SECTION 6. Payments received from TCEQ for Contract Number 582-5-55885, Amendment Number 1, PM 2.5 Monitoring in San Antonio, are to be deposited into the above-designated fund, Funds Center 3611240000, Cost Center 3611240001, Internal Order 136000000244, SAP GL Number 4501110.

SECTION 7. The eight (8) personnel positions set out in Attachment I are hereby authorized for Cost Center 3611230001, Internal Order 136000000243.

SECTION 8. The four (4) personnel positions set out in Attachment II are hereby authorized for Cost Center 3611240001, Internal Order 136000000244.

SECTION 9. The Director of Finance may, subject to concurrence by the Interim City Manager or the Interim City Manager's designee, correct allocation to specific internal order numbers, account numbers and fund numbers as necessary to carry out the purpose of this ordinance.

SECTION 10. Should either of the two contract amendments be in amounts other than those

budgeted for, or should either of the two contract amendments contain terms and conditions different than those currently existing, acceptance of these contract amendments, budgets and corresponding personnel complements will be subject to subsequent City Council ordinance.

SECTION 11. If either of the two agreements, as first reviewed and approved by the City Attorney, are not signed by both parties within sixty (60) days from the effective date of this ordinance, then they shall become null and void, and any further signed documents must be considered by the City Council.

SECTION 12. This ordinance shall be effective on and after July 10, 2005.

PASSED AND APPROVED this 30th day of June, 2005.

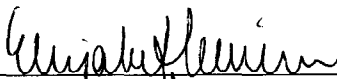


M A Y O R

ATTEST:


City Clerk

APPROVED AS TO FORM:



for City Attorney